

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

DERELL MEYNARD, individually and on behalf of all others
similarly situated,

Plaintiffs,

- against -

WHOLE FOODS MARKET GROUP,

Defendants.

Case #: 18-CV-
00086(SJF)(AKT)

DECLARATION OF
MICHELET LAFLEUR

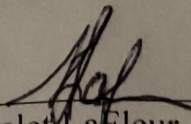
I, Michelet LaFleur, declare under penalty of perjury, pursuant to 28 U.S.C. § 1746, that the following is true and correct to the best of my knowledge and belief.

1. My name is Michelet LaFleur. I currently reside in the State of New York, Rockland County.
2. I was employed as a cook for the Prepared Foods department by Whole Foods Market Group at its White Plains store—located at 110 Bloomingdale Road, White Plains, New York 10605—in 2012.
3. During my employment with the Defendants, the Prepared Foods department consisted of approximately 30 employees.
4. All 30 employees were manual laborers. Their responsibilities required that they work with their hands far in excess of 25% of the time. Responsibilities include unpacking shipments of ingredients and supplies, preparing ingredients, preparing hot and cold foods for customers, creating and maintaining displays and food bars, assisting customers.

5. No member of the Prepared Foods department is exempt from working on the sales floor and completing the previously mentioned responsibilities.
6. Of a regular eight-hour workday, my entire shift consisted of tasks and responsibilities that required me to work with my hands far in excess of 25% of the time.
7. During my employment with Whole Foods Market Group, there were at least 200 employees in total at the White Plains location.
8. The only job titles at the White Plains store who were not engaged in manual labor at least 25% of the time were the store manager, the assistant manager(s), the marketing team, and other office personnel.
9. Of the 200 employees at the White Plains store, I would estimate that at least 170 of the employees, or 80%, are manual laborers. Departments like seafood, grocery, bakery, specialty, produce, among others, perform similar functions and responsibilities to those of the produce department. Their job is to unpack shipments, stock their department, rotate inventory, create and maintain displays, assist customers and keep their department clean and organized. Cashiers also are engaged in physical activity virtually all day.

I declare that the foregoing is true and correct.

Dated: Huntington, New York
November , 2020


Michelet LaFleur